

CITIZEN'S TRANSPORTATION OVERSIGHT COMMITTEE

Arizona Department of Transportation

Draft - Minutes September 23, 2008

A Citizen's Transportation Oversight Committee (CTOC) meeting was held at the Arizona Department of Transportation, 206 South 17th Avenue, Phoenix, Arizona 85007 on September 23, 2008, with David Martin presiding.

Members Present:

David Martin, Chairman
Jack Lunsford, Member At Large
Jeffrey Schwartz, Maricopa County District 2
Leyton Woolf, Maricopa County District 4
Peggy Jones, Maricopa County District 5

Members Absent:

Nelson Ladd, Maricopa County District 3

Others Present:

Steve Beasley, ADOT – Valley Project Mgmt.	Kwi Kang, ADOT - RFS
Tim Tait, ADOT - CCP	Bill Hayden, DMJM + Harris, Inc.
Keno Hawker, former Mayor of Mesa	Dianne Barker, Citizen
Bob McKnight, Citizen	Adrienne Weinkamer, AG Office
Elizabeth Neville, ADOT - RFS	Jennifer Hefley, ADOT – Bridge Group
Chuck Ullman, Citizen	Brock Barnhart, ADOT - CCP
Bryan Jungwirth, RPTA	Joe Acosta, A. G. Office
Craig Rudolphy, ADOT – Comptroller	Walt Maas, Citizen
Randy Overmyer, City of Surprise	Joy Slagowski, Daily News Sun
Melissa Boyles, Valley Metro Rail	Rich Ott, West Valley View Newspaper

1. Call to Order:

Chairman David Martin Called to Order the Citizen's Transportation Oversight Committee meeting at 4:00 p.m.

2. Welcome and Opening Comments:

Chairman Martin welcomed the public, public officials including former Mayor Keno Hawker, members of CTOC and staff to the meeting.

The Chairman decided to move Agenda Item 10, "Call to the Public" up and then to proceed with the remaining agenda items.

10. Call to the Public:

The Chairman called on our first citizen Dianne Barker to speak:

Dianne Barker, citizen, stated that unfortunately Phoenix dropped its sustainability on the front page. It was bad news to see that Phoenix got low marks and they said it was because the pollution and water. The water part was rather a surprise to me. I do think there are people who are trying to do some things for pollution. I think until people take it to heart, that a person sees they're part of the solution or part of the problem, what are they going to do about it, then we will have the situation. So I like to approach it from that manner and we can laugh at it or we can do it. By the way, I did come on a natural gas bus and I did bring my bicycle so I have a clear conscience today. I wanted to share with you that I am addicted to reading minutes. Tomorrow there is going to be a MAG meeting, Regional Council, Wednesday at 5:00p.m. so if you can go to that I think that would be a good thing because in their last minutes of July 23, they brought up a lot of issues and what I am asking. I wrote it down if you would please consider this on your next agenda item to discuss the idea of connectivity in transportation and in public transit because if you read MAG minutes, there are many things that Mayor Manross is bringing up, Cavanaugh is bringing up and even Keno Hawker is in there, basically on the buildings they are not going to build. But in connectivity, what is happening is on a study by URS, out on I-10 and that corridor for transit, or rail or high capacity buses goes to 79th Avenue then it goes over to 23rd Avenue so it is not connecting into light rail. It is not connecting into the deck park where at one time we were going to have express buses. Mr. Woody Thomas from Litchfield Park still seems to think that we can get over to the express buses at the deck park and we already have the study, RPTA spent a lot of money which is a white elephant. We can't have express buses in there. The buses won't fit in there. That needs to be a retrofit. Apparently Cavanaugh says this and Dennis Smith says that Regional Council's predecessors said to put money into completing the freeway but now, like Cavanaugh is saying, multimodal, how are we going to get efficiently from the west end to the east when the roads past 79th Avenue don't have high capacity for rail, bus - for whatever. So we've gone to these places when Fife Symington took over. We had a problem with the regional freeway, he connected a lot and with transit we need to connect with transit and we need to do it without asking the people for any more money, because that may not go through. This other thing did. We need to start looking at ways we can get people around. They'd love to get on mass transit and they are going to pay money and I would pay money even for my bicycle. Extra money on my bicycle I would buy items that were around my transit stops and I know other people would too. Come on folks, let's get innovative and let's make this thing happen. Thank you.

Mr. Chairman called on our next citizen Walt Maas to speak.

Walt Maas, citizen, stated that in January you may remember that we made a presentation at your meeting in the Surprise City Hall. There were about 100 people attending. I spoke and a number of other people spoke as well regarding a situation we have with the Loop 303 noise. Our request was that this Committee acts as a court of appeals to ADOT's decision of no action at this time that was made a year and a half ago. We haven't really progressed on this at all. Our appeal was based on three factors and those three factors I went over in detail at that meeting and I have supplied via email to you a lot of background material for it. I ask that when you hear what is going to be said in agenda item number five and number four as well that you judge whether our three concerns that we presented are being addressed properly. And properly to us is it leads to a conclusion that brings action; it gets us into the pipeline for noise mitigation. Please do not be affected by just another study. We have been at this for six years now looking for noise mitigation and another study that gets put away in a dusty file cabinet is not going to really be at all satisfactory. If you judge that ADOT has addressed our three concerns adequately, properly, then your decision is that you deny our appeal, and then we must live with that. But if they have not in your judgment addressed those three concerns and led to something that puts us in the pipeline, then I ask you to uphold our appeal and report to whoever you report to that the issue needs to be revisited and needs to have some conclusion that leads to action in the pipeline. Thank you.

A question was asked about the three main points Mr. Maas has.

In reply Mr. Maas said the first one is that they have misused and violated their own noise policy regarding use of noise readings. They have treated them as magic numbers; that is what they use and that's it. Secondly, they claim we are noise mitigated and that certainly doesn't appear to be the case. We have quite a bit of noise and I think you've seen the pictures of the concrete truck and you know kind of where that is not an indication of us already being noise mitigated. And thirdly and probably most importantly is that they have completely ignored or are unwilling to consider the affect of present ongoing construction that extends to the 303 east to join with I-17 Interchange in north Phoenix. That is scheduled to be completed in about two years according to the last schedule I saw and when it is open it will increase the traffic and the noise considerably. Something that is two years down the road needs to have some action for mitigation now if it truly is warranted and they will not look at that.

The Chairman called on our next citizen Chuck Ullman to speak.

Chuck Ullman, Vice President of PORA Sun City West, stated; I would like to encourage this committee to act favorably on item five in an expedited manner. Seniors in our area living in that part of the city where the 303 is are residing under a certain condition which is not favorable to them. It's noisy, it's polluted, it is loud. The average age is 75 years. We don't have too much time. We cannot wait five, ten years. We look toward the committee to act and have a favorable disposition of this item. Thank you.

Chairman Martin thanked all the citizens that spoke.

3. Approval of Minutes:

Chairman Martin called for a motion to approve the minutes of the May 27, 2008, meeting.

Board Action: Leyton Woolf moved to approve the May 27, 2008, minutes and the motion was seconded by Jeff Schwartz and carried unanimously.

4. Update on Loop 303 Design Concept:

Steve Beasley, Valley Project Management, provided an update on the status of the Loop 303 between I-10 and US 60. The draft Environmental Assessment was submitted to Federal Highways on August 4. Comments were received and incorporated. A revised draft is to be submitted on September 24. A map of the study area was presented and described. The EA identifies several needs that the project will meet and includes accommodate existing and projected local, regional and interstate travel demand including truck traffic, provide acceptable traffic performance and conform to local and regional development plans. Major features of the Recommended Alternative include the interim configuration for Loop 303 as a six-lane freeway with an open median of 74 feet wide for a future general purpose lane and HOV lane in each direction. Areas of focus are the I-10/303L System Interchange, the I-10 realignment from Citrus Road to Sarival Avenue and the Frontage Road system along I-10 and 303L. Northern Parkway frontage roads provide connection to future extension to the west. The next major interchange is at 303 and US 60. That interchange is unusual in that Grand Avenue in this direction will remain at grade. Ramps for left-turn movements will pass below ground. Right-turn movements will be free flowing in all four directions. Ramps to 303 on the north side of Grand will be depressed below the BNSF Railroad. The concept will be re-evaluated to account for the Hassayampa Freeway. A pending Federal Highway signature is expected on this round of the EA. Public hearings are tentatively scheduled for October 21 and 22. After Federal Highway's approval, a draft EA and Design Concept Report will be placed in repositories throughout the west valley. The public comment period will be October 4-7 with a Record of Decision expected in December or January. There are three projects ongoing north of US 60 including Happy Valley Parkway to Lake Pleasant Parkway, Lake Pleasant Parkway to I-17 and US 60, Grand Avenue to I-17. The Environmental Study

process for US 60 to Happy Valley Parkway is scheduled to begin in early 2009. Noise, air, biological and other impacts will be studied and mitigated.

Questions Asked:

Jack Lunsford asked if the flyover ramps are originally designed at one lane or two lanes.

Mr. Beasley stated that they are designed for two lanes and we are looking at expandability to potentially three lanes.

Mr. Lunsford asked will you build it to two lanes initially.

Mr. Beasley said yes, we will build it to two lanes.

Mr. Lunsford asked about the Hassayampa Study's concept and the extension of Northern Parkway as an expanded parkway. Will we have to do another EA or what would be the process?

Mr. Beasley said if it extends to the west as something other than an arterial street, we can accommodate a parkway. We would not be able to accommodate a freeway.

Mr. Lunsford asked about budget restrictions and not being able to accommodate something other than an arterial or parkway.

Mr. Beasley replied that during concept development, the Hassayampa had not been discussed. It will require an environmental re-evaluation for that reconstruction. Budget is definitely a constraint.

Mr. Lunsford asked about the ADOT Transportation Investment Strategy and consideration of a commuter rail route.

Mr. Beasley said right now there is a single track along Grand Avenue. The railroad right-of-way is wide enough for three tracks. We are preserving that right-of-way.

Jeff Schwartz asked about the completion date for US 60 to I-10.

Mr. Beasley said a preliminary implementation plan notes completion around the end of 2014 with the current funding scenarios.

Mr. Lunsford asked - given the current status, if there was willingness to accelerate, is that feasible?

Mr. Beasley stated that is feasible once the EA is approved.

Mr. Lunsford stated without acceleration, completion is around 2014 and with acceleration, how much could that be compressed.

Mr. Beasley replied that it is estimated a year or a year and a half.

Leyton Woolf asked about the Environmental Impact Statement having a force to deal with noise. Has the one being submitted on September 24 received comments?

Mr. Beasley stated that there have been Federal Highway comments.

Mr. Woolf asked if they had any comments about noise.

Mr. Beasley said that they looked at noise and air mitigation and they were on board with what was done. The EA shows noise mitigation required in a lot of areas between I-10 and US 60. At I-10 a noise wall has been built at Pebble Creek. From Greenway north, we have to do a final noise study to US 60 and beyond. The public will have an opportunity to comment.

Mr. Woolf asked about a proposal for public utilities in the middle of the freeway.

Mr. Beasley said no, that is not anything we are pursuing at this point. APS has a major line on the west side of the freeway.

Jeff Schwartz asked if any of the comments address issues brought up by Sun City residents.

Mr. Beasley said, not specifically. That would not be something we would normally address in the draft EA. We will address those in the final EA if we get comments during the public process.

Mr. Schwartz commented that it would be important to try and help. Whether on this project or any project in the valley it's important for people to feel they are being heard.

Mr. Beasley said we are making a large effort, larger than most to get the word out to the public that there will be public hearings.

Chairman Martin asked for an explanation of the public input process and whether or not concerned citizens can be noticed or is that beyond the normal realm.

Mr. Beasley said advertisement will be in the newspapers in addition to radio spots and door hangers. There is discussion of two court reporters at the public hearings to record comments. Several staff members will be throughout the room to record conversations on flip charts.

Jack Lunsford stated he will volunteer his organization to get the word out and assist ADOT. Loop 303 is important to us.

Mr. Beasley said thank you.

5. Loop 303 Noise Issue:

Kwi Kang, Transportation Engineer, Regional Freeway Office, reported on Proposition 400 Noise Mitigation. Various MAG Committees approved the Proposition 400 Noise Mitigation Project. The MAG Committee approved to provide noise barrier in eleven locations which include Loop 303 at Sun City West. A map identifying the locations was shared. The proposed noise mitigation work along Loop 303 at Sun City West noted in the Study recommends 2,283 feet of length, 8-16 feet of height with a construction cost of \$1,248,720. ADOT is in the process of inputting the Noise Mitigation project into the Five-Year Program. ADOT is recommending a design project in fiscal year 2009 at \$1.56 million. Construction is recommended in fiscal year 2010 for \$15.6 million. Fiscal year 2010 begins in July 2009. There will be public input opportunities during the design stage. The project manager for this project is Eric Prosnier.

Questions Asked:

Jack Lunsford asked if the design will be incorporated into the Five-Year Plan would that be an amendment. Is funding available for this project?

Mr. Kang replied that the RTP Program sets aside \$75 million for noise mitigation purposes.

Leyton Woolf asked if this is part of the difficulty that Mr. Maas was having.

Mr. Kang said in part, yes. This study is for MAG. ADOT will have another noise study next year between US60 and Happy Valley Parkway.

Jeff Schwartz asked if there will be additional funds available for items found in the study so the entire section will be dealt with.

Mr. Kang said yes, if the study warrants noise mitigation it will be covered.

Mr. Beasley stated that if there is money to build a freeway, there will be money to build noise mitigation. Noise modeling takes into account future traffic volumes. 2035 forecasting volumes will be applied to the noise model to find the projected noise levels. If mitigation is required in 2035, that will be built with the freeway.

Mr. Lunsford state it seems to be inconsistent that the mitigation for the 303 will be different than the other two miles.

Mr. Beasley said ultimately it will not be different.

Jack Lunsford stated at a previous meeting Mr. Maas presented evidence that the noise volumes have been realized sooner than the time frame projected in the model. If that is the case, how rigid are we with the 2035 modeling?

Mr. Beasley said we are precluded from spending money on just a noise wall. In this case we've been given money specifically to build noise walls so we will move forward but to project into the future that we will need walls and then plan to build them in the future versus now, we don't have a mechanism in place to do that. That is in Phase II.

Jack Lunsford stated there is concern with the long-term aspect. With a shortfall in Prop 400 funds, there has to be re-allocation by MAG in Phase IV and maybe Phase III or some things don't get built.

Mr. Beasley replied that one consideration might be that the wall becomes the earliest part of construction for that segment moving the walls up a few years in the program.

Jeff Schwartz asked if ADOT is studying noise mitigation in one way and MAG in another way.

Mr. Beasley said we have a noise policy based on the federal noise policy. Our policy is more rigid than the federal policy.

Mr. Schwartz said maybe there needs to be some consistency between MAG and ADOT on how the wall will be addressed.

Mr. Beasley said we have taken that into consideration.

Mr. Schwartz stated in this case, the thought of having to wait five years, seven years, gives people discomfort every day. Whatever we can do to try and move up the wall as a separate task to the freeway would be nice to address the public needs immediately.

Peggy Jones asked what we as a committee can be done to take further action on Mr. Maas and other citizen's noise issue on the Loop 303 in their area.

Chairman Martin said we can keep this issue in mind and continue to have open public dialogue to ensure the citizen's requests are being addressed. Also a letter can be written – recommending to the appropriate stakeholders the citizen's request.

Board Action: Peggy Jones moved that CTOC has staff send a letter of recommendation to the Transportation agencies asking them to consider the citizens noise issue and requests. Leyton Woolf seconded the motion. The motion carried unanimously.

6. Regional Transportation Plan Freeway Program Status Report:

Kwi Kang, Transportation Engineer, Regional Freeway Office, stated that since the May meeting several activities were accomplished including the publishing of the Final Five Year Program, publishing of the July 2008 Certification and publishing the CTOC Annual Report. All these reports can be found on the CTOC and ADOT web pages.

A detailed handout was distributed to the Board regarding the final segment of the Proposition 300 that opened on Red Mountain Freeway between Power Road and University Drive. It also includes the current program for Proposition 400. There are 16 projects under study, 22 design projects and 16 major construction projects underway.

Questions Asked:

Chairman Martin asked about the timeframe of the projects in the handout and RTP funding sources.

Mr. Kang stated the projects listed in the handout are under construction. There are three major funding sources for RTP: RARF, Federal Funding and other.

Chairman Martin stated there is a schedule that citizens voted on Proposition 400. How many of these projects in RTP can potentially be affected assuming federal funding were to cease.

Mr. Kang said funding sources are assigned for projects in the Five Year Program. We can identify which projects have federal funding. In general RARF and State funding are used for design and right-of-way. Additional funding can be provided.

Chairman Martin asked staff that an additional item be placed on the next meeting agenda for those projects potentially affected by federal funding shortfalls.

It was asked that staff present the projected completion dates be placed on the construction projects to serve as a resource document.

Mr. Kang replied that staff will provide estimated completion dates for the projects under construction.

Peggy Jones expressed interest in how projects are prioritized if funds are cut back.

In reply, Chairman Martin stated that according to the model MAG sets the prioritization.

Keno Hawker stated that the federal match goes across the board for all projects. You have to look at how the programs are ranked in the Five Year Program.

Chairman Martin asked if the Regional Council can give an outline of how that protocol or process would exist including the issue on the Five Year sliding as Keno Hawker discussed.

The Chairman and Board members agreed to ask staff to invite MAG staff to a future meeting and provide a review on their prioritization process.

Dianne Barker, citizen, asked to speak again.

Chairman Martin agreed.

Ms. Barker said as Mr. Maas was allowed a follow up and stated that this body on Proposition 400 is overseeing not only freeways of which these issues are but also transit and this freeway I-10 we've been talking about. My point when I did speak to Call to the Audience and I did submit a written request for you to either put that on the agenda to look at connectivity of the issues that are problematic that MAG has brought up about the corridor and the plans for the transit and how it doesn't connect. If you are going to send a letter recommending certain things on the noise pollution a letter could also go out after some consideration on how to get connectivity.

The Chairman stated that this underscores the necessity and rigidity on our public comment process. It is unfortunate that you had to try to capitalize on the opportunity that we gave a gentleman who happened to come up to talk to staff about this. So, the policy of the board is clear. Public comments will be for that period of time at the beginning and there will be no more public comment after that. The dialogue will then rest from now on from this point on with the board. I am sorry you had to put us in that position. I feel strongly in the proper decorum of this Committee.

Chairman Martin stated we are moving onto our next speaker Bryan Jungwirth with RPTA.

7. Regional Public Transit Authority Report:

Brian Jungwirth, RPTA, Chief of Staff provided information on 2008 service updates, system ridership and performance, farebox update and financial issues. On service updates, four new express routes were implemented in July. Three of the four are doing great with the buses being full. Extensions and more frequency were added to Route 96, Route 61 and Route 65 as noted in the PowerPoint. System facts included that nearly 60 million passengers boarded last year and customers using bikes accounted for over 1,320,472 annual boardings. 95% of the fleet is alternatively fueled. A system growth slide was shared. There are currently 345 vanpools from 170 in 2000. On-time performance dropped to 93% in 2008 from

95% in 2007. New fareboxes were implemented in November. Smart cards replaced bus cards. There were several issues when first installed including bills jamming and reporting of data. Future projects include fare integration with METRO, possible discount for large volume users, possible ticketing program for major sports/cultural events and a study of a fare increase. City departments have been asked to identify 30 percent budget cuts. This could equal about \$10 million in cuts to the transit system. There is an approximate \$3 million budget shortfall for the first two months of this year. Overall the plan is still above by \$17 million. Twelve different policy items are being reviewed to try and contain the budget issue. Items being reviewed include inflation, contract rates, revenue shortfalls, federal revenues, contingencies, financing, regional services, RPTA office space, plan flexibility, jurisdictional equity, lead agency commitments and RPTA staffing. The METRO Light Rail opens on December 27-28 with revenue service on December 29. A new Valley Metro LINK – New Bus Rapid Transit serves as an extension of light rail from Sycamore Transit Center in Mesa to Superstition Springs Mall to open up the east valley.

Questions Asked:

Jack Lunsford stated that even with numbers increasing, what is the strategy to counter the talk that ridership is down.

Mr. Jungwirth said there isn't a lot of that talk anymore with many buses having standing room only. We might do a better job with PR and the media.

Leyton Woolf stated that the committee receives a lot of email regarding Light Rail safety. What are our safety provisions; what kinds of education do we have for the public?

Mr. Jungwirth said the METRO program has spent more than \$500,000 on safety education throughout the alignment. Staff is working to inform the public.

8. Proposed Financial Compliance Audit/Scope of Work:

Kwi Kang, Regional Freeway Office stated that the Financial Compliance Audit will include fiscal year 2007 and fiscal year 2008. The audit will be performed in accordance with generally accepted Governmental Auditing Standards. The auditing firm will provide the auditor's report to CTOC. The State Procurement Office recommended for CTOC to utilize four ADOA approved auditing firms. The next steps include sending a request letter to the four auditing firms, receiving their proposal including costs and schedules. A review of their proposals and a recommendation of the firm will take place with the Board's final approval. The audit will then be conducted and a report will be produced.

Board Action: The Chairman asked for a motion to approve the Scope of Work letter for the Financial Compliance Audit be sent to the four ADOA approved auditing firms to obtain their proposals. Jack Lunsford moved to approve this action and the motion was seconded by Peggy Jones and carried unanimously.

Questions Asked:

Chairman Martin asked, will it be CTOC engaging them and not ADOT.

Mr. Kang replied yes that is correct.

The Chairman stated the audit used to be an amendment by ADOT and legal council felt that there was a conflict of interest so the Committee is choosing to proceed with an independent audit.

Jack Lunsford asked that since staff receives the proposals and evaluates them, are we contemplating staff making a recommendation.

David Martin replied, yes but that doesn't mean we have to accept their recommendation.

Chairman Martin asked for a staff's recommendation and that the proposals be seen in advance and that staff will have a matrix comparing key components of the audit proposals for the next meeting agenda.

9. CTOC 2009 Meeting Schedule:

Before discussing the 2009 schedule the Chairman stated he would like an executive session in October to supplement this year's schedule.

The meeting schedule for 2009 includes January 27, Joint Public Hearing at MAG in March, May 19, August 25 and November 24, 2009.

Jeff Schwartz commented that he felt CTOC should have more meetings in 2009.

Chairman Martin said the Board can discuss amending this in executive session.

Chairman Martin called for a motion to approve the 2009 Schedule.

Board Action: Jack Lunsford moved to adopt and accept the 2009 meeting schedule. Leyton Woolf seconded the motion. The motion was carried unanimously.

Chairman Martin asked staff to coordinate schedules to hold an executive session within the next 30-40 days.

Note: Agenda Item 10 was moved up to the beginning of the meeting.

11. Recommendation of Future Agenda Items:

The Chairman asked how to incorporate Dianne Barker's question of connectivity into a future meeting agenda.

Mr. Kang replied that this can be incorporated into the MAG presentation at the next meeting.

A letter can be sent to MAG asking for the following: MAG prioritization process, consideration for multi-modal connectivity and status of current funding.

12. Next Scheduled Meeting:

Tuesday, November 25, 2008, 4:00 p.m.
Arizona Department of Transportation
206 South 17th Avenue
Phoenix, AZ

13. Adjournment:

The Chairman thanked everyone for coming and adjourned the meeting at 6:30 p.m.